



Community Development Department
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MINUTES
WASHINGTON CITY Planning Commission
September 21, 2016

Present: Commissioner Smith, Commissioner Papa, Commissioner Martinsen, Commissioner Hardman, Councilmember Belliston, Drew Ellerman, Lester Dalton, Jim Guynn, Kathy Spring, Randy Wonl, Jennifer Trella, Jeremi Tobler, Adam Allen,

Called to order: 5:30 PM

Invocation: Commissioner Martinsen

Pledge of Allegiance: Commissioner Papa

Commissioner Smith excused Commissioner Henrie.

1. **APPROVAL OF AGENDA**

A. Approval of the agenda for September 21, 2016.

Commissioner Papa motioned to approve the agenda for September 21, 2016.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

2. **APPROVAL OF MINUTES**

A. Approval of the minutes from September 7, 2016.

Commissioner Papa motioned to approve the minutes from September 7, 2016.

Commissioner Phosemhou seconded the motion.

Motion passed unanimously.

3. **DECLARATION OF ABSTENTIONS & CONFLICTS**

None

4. **CONDITIONAL USE PERMIT**

A. Public Hearing to consider approval of a Conditional Use Permit C-16-10 for a Restaurant located at approximately 1100 East and HooDoo Way. Applicant: Belliston Construction Inc.

Background

The applicant is requesting approval of a Conditional Use Permit to build a Black Bear Diner project located at approximately 1100 East HooDoo Way (just west of the Maverik in the Sienna Hills commercial area). This applicant is proposing a new restaurant at this location.

The zoning regulations require any commercial developments exceeding 5,000 square feet in size to obtain an approved Conditional Use Permit.

The restaurant project will be the second commercial development to take place in the Sienna Hills Commercial area. The zoning at this particular location is Planned Community Development (PCD).

Staff has reviewed the proposed project and finds that it meets the standards as outlined in the PCD, the General Plan and the Zoning Ordinance. The design is impressive and would be a great addition to the surrounding area and the community as a whole.

Recommendation

Staff recommends that the Planning Commission approve C-16-10, allowing for a Black Bear Diner (restaurant) development, based on the following findings and subject to the following conditions:

Findings

1. The proposed use, at the particular location, is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood and community; and
2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of the persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
3. The proposed use will comply with the regulations and conditions specified in this title and associating state and federal titles, for such use; and
4. The proposed use will conform to the intent of the general plan.

Conditions

1. Any site improvements shall meet or exceed the requirements of City and State adopted codes. Including, but not limited to, the Building and Fire Codes of Washington City.
2. The development of the site shall comply with the development standards of the Sienna Hills approved PCD.
3. Development of the site shall also comply with the recommendations of a geotechnical study and drainage study. Improvements for drainage and detention shall be approved by the Public Works Department prior to the issuance of building permits.

4. The applicant will submit a traffic impact study for review and approval by the Public Works Department. The City's Access Management Plan will be adhered to in the traffic design of the project.
5. The parking will be adhere to as presented in the exhibits of this application (81 stalls minimum).
6. Any roof mounted equipment will be screened from view.
7. A detailed landscaping plan will be submitted for review and approval prior to any landscaping being installed throughout the project.
8. All lighting within the project development will be directed inward to the site.
9. All signage will be in accordance with the adopted sign regulations of the city.
10. Dumpster screening shall blend in with the surrounding development(s). Details for these items shall be submitted for review and approval prior to the issuance of associated/required permits.
11. Construction drawings will need to be submitted for review and approval, prior to any work being done on the site.

Commissioner Smith asked if it front all four streets.

Mr. Ellerman answered it does front all four streets. They have 81 parking stalls with some outdoor seating area.

Commissioner Hardman asked where the Maverik is located on the plat exhibit.

Mr. Ellerman answered to the east of this project.

Commissioner Hardman asked if this project is the same owner as the one in St George.

The applicant nodded yes.

Commissioner Smith opened the public hearing.

No response.

Commissioner Hardman motioned to close the public hearing.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

Commissioner Papa motioned to approve the CUP with the findings and conditions of staff. He reviewed the conditions.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

5. ROAD DEDICATION PLAT

- A. Consideration and recommendation to City Council for the 1100 East /Commerce Way Road Dedication Plat located at approximately 1100 East. Applicant: Dean Terry

Background

The applicant is requesting approval of the road dedication plat for a portion of Commerce Way and 1100 East Street, located at approximately 1100 East and 800 North.

The Public Works Department has reviewed the plat and approved the design, with the a condition that “all improvements to be installed or bonded for prior to the recording of the road dedication with the County Recorder’s Office”.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Road Dedication plat for a portion of Commerce Way/1100 North Street to the City Council.

Commissioner Smith asked if full improvements are being done at this time.

Lester Dalton indicated yes.

Commissioner Papa asked for clarification of the improvements.

Mr. Ellerman stated there is about 4 property owners and Mr. Terry is the southeast property owner. This is to complete the 1100 East.

Commissioner Hardman asked if there are any Mortgagee Consents.

Mr. Ellerman stated Jeff Starkey will review the plat to make sure the consents are correct.

Commissioner Hardman motioned to recommend approve to City Council with the recommendation of staff.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

6. PLAT VACATION

- A. Public Hearing for consideration and recommendation to City Council for a Plat Vacation, for a portion of lot # 410 of the Buena Vista #4, Fourth Amended Subdivision. Located at approximately 679 West Fairway Drive. Applicant: JT Custom Homes

Background

The applicant is requesting approval of a Vacation of a portion of the Final Plat for the Buena Vista, # 4, Fourth Amended subdivision, located at approximately 679 West Fairway Drive. The applicant is wishing to vacate some square footage off of lot #410, in order to sell it to adjoining properties of the Last Sun at Green Spring, Phase 2 subdivision (lots 81 and 82). These property owners (lots 81 and 82) approached the applicant with such a proposal and they have agreed on the purchase/sale. Plat amendments of both plats are necessary to bring all lots into compliance with their respective recorded subdivisions.

With that said, it is necessary to have a portion of this plat vacated so that the exchange of the square footage to the adjoining parcels can move forward. Staff is therefore recommending that the Silverado Condominiums subdivision be vacated as soon as possible.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Vacation of the Final Plat for the Buena Vista, # 4, Fourth Amended subdivision, to the City Council based on the following findings:

Findings

1. The vacated final plat is necessary for the sale of property to adjoining property owners.
2. That the vacated final plat conforms to the Subdivision Ordinance as outlined.

Commissioner Smith opened the public hearing.

No response,

Commissioner Papa motioned to close the public hearing.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

Commissioner Papa motioned to recommend approval to City Council with the findings of staff.

Commissioner Martinsen seconded the motion.

Motion passed unanimously.

7. PLAT AMENDMENT

- A. Public Hearing for consideration and recommendation to City Council the Last Sun at Green Springs Phase 2 Subdivision Amended and Extended located at Lot 81 679 West Fairway Drive and lot 82 691 West Fairway Drive. Applicant: JT Custom Homes

Background

The applicant is requesting approval of an Amended and Extended Final plat for the Last Sun at Green Spring, Phase 2 subdivision, located at approximately 679 West Fairway Drive. This particular amendment request is simply to create a more square footage for lots 81 and 82 of the

Last Sun at Green Spring, Phase 2 subdivision. The owner of the parcel to the south has agreed to sell a portion of his lot to the two lots in question. This action will also require a final plat amendment of the Buena Vista subdivision which is where this extra square footage is coming from.

Staff has reviewed the proposed amended and extended final plat and finds it conforms to the zoning at this particular location (R-1-10), the subdivision is also in conformance to the Subdivision Ordinance of the City. Staff is recommending that the amendment be recommended for approval.

Recommendation

Staff recommends that the Planning Commission recommend approval of the Amended & Extended Final Plat for the Last Sun at Green Spring, Phase 2 subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The amended and extended final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the amended and extended final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a post maintenance agreement be recorded prior to the recording of the final plat.

Commissioner Papa asked what were the size of the lots prior to the addition.

Mr. Ellerman stated about 9,500 sq foot lots. The property owner just need the additional footage to fit his home and the property owner of 410 in the Buena Vista agreed to the sale.

Commissioner Smith opened the public hearing.
No response.
Commissioner Martinsen motioned to close the public hearing.
Commissioner Papa seconded the motion.
Motion passed unanimously.

Commissioner Hardman motioned to recommend approval to City Council with the findings and conditions of staff.
Commissioner Papa seconded the motion.
Motion passed unanimously.

8. DISCUSSION ITEMS

A. Discussion on Conditional Use Permits.

Mr. Ellerman stated last week there was a conference in Salt Lake and Jody Hoffman as well as the ombudsman individual spoke about the Conditional Use Permit. The information was that CUPs are a permitted use and the denial has a very small window. He stated that 99.9% should be approved. He stated the CUP's don't have to be a public hearing per State requirements. He stated a lot of cities have a public hearing per their ordinance. It will be up to the City Council to determine if they want to have public hearings. He asked the commissioners to consider what they want. He will go through the ordinance and see if they can eliminate the CUP requirement.

Commissioner Papa stated the only negative is the public involvement and at times the information that we receive from them.

Commissioner Hardman stated the 300-foot radius would get a notice and they may be impacted by the project.

Commissioner Smith encouraged the commissioners to look at the ordinances to see what can be changed.

Commissioner Hardman motioned to adjourn the Planning Commission Meeting.
Commissioner Martinsen seconded the motion.
Motion passed unanimously.
Meeting adjourned: 6:25 PM

Attested to: Kathy Spring
Kathy Spring, Zoning Technician

Washington City

Signed by: _____

Chairman, Jason Smith